

106TH CONGRESS
2D SESSION

H. R. 5501

To amend title XVIII of the Social Security Act to preserve and provide for uniform coverage of drugs and biologicals under part B of the Medicare Program.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 19, 2000

Mr. DEMINT (for himself, Mr. SPENCE, Mr. SPRATT, Mr. CLYBURN, Mr. SANFORD, and Mr. GRAHAM) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to preserve and provide for uniform coverage of drugs and biologicals under part B of the Medicare Program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Medicare Drug Uniform Coverage Act of 2000”.

6 (b) FINDINGS.—The Congress finds as follows:

1 (1) The medicare program provides for coverage
 2 of certain outpatient drugs and biologicals adminis-
 3 tered through subcutaneous injections.

4 (2) Carriers in the majority of States and terri-
 5 tories have made local coverage determinations that
 6 interferon, enoxaparin, deltaparin, and pre-operative
 7 use of epoetin alpha (four of such outpatient drugs
 8 or biologicals) are reasonable and necessary and cov-
 9 ered under part B of the medicare program.

10 (3) The carrier in South Carolina has made a
 11 local coverage determination that does not provide
 12 coverage for interferon, enoxaparin, deltaparin, and
 13 pre-operative use of epoetin alpha under such part.

14 (4) Medicare beneficiaries should have equal ac-
 15 cess to care, treatment, and coverage under the
 16 medicare program in all 50 States and territories.

17 **SEC. 2. PRESERVATION OF COVERAGE OF DRUGS AND**
 18 **BIOLOGICALS UNDER PART B OF THE MEDI-**
 19 **CARE PROGRAM.**

20 (a) IN GENERAL.—Section 1861(s)(2) of the Social
 21 Security Act (42 U.S.C. 1395x(s)(2)) is amended, in each
 22 of subparagraphs (A) and (B), by striking “(including
 23 drugs and biologicals which cannot, as determined in ac-
 24 cordance with regulations, be self-administered)” and in-
 25 serting “(including drugs and biologicals which are not

1 usually self-administered by intravenous infusion or sub-
2 cutaneous injection by the patient)”.
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4 (b) EFFECTIVE DATE.—The amendment made by
5 subsection (a) applies to drugs and biologicals adminis-
tered on or after October 1, 2000.

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